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March 12, 2008

BY HAND

Honorable John G. Koeltl  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

APPLICATION GRANTED  
SO ORDERED

*3/16/08*  
  
John G. Koeltl, U.S.D.J.

Re: Day v. City of New York, et al., 07 CV 11228 (JGK)

Dear Judge Koeltl:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department assigned to the above-referenced case. I am writing with the consent of plaintiff's counsel, Jon L. Norinsberg, Esq., to respectfully request a sixty-day enlargement of time, from March 19, 2008 to May 19, 2008 within which the City may answer or otherwise respond to the complaint. If the Court is so inclined to grant this request, it is further respectfully requested that the initial conference currently scheduled for March 18, 2008 at 4:30 PM be adjourned to a later date and time convenient to the Court after issue has been joined.

The complaint alleges, inter alia, that plaintiff Gregory Day was falsely arrested, his property was seized and that he was maliciously prosecuted. In addition to the City, plaintiffs purport to name Police Officer Joseph P. Robinson and Det. Lisa Paskewitz as defendants.<sup>1</sup>

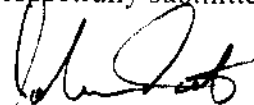
<sup>1</sup> On information and belief, the individuals identified in the caption of the complaint as "Police Officer Joseph P. Robinson" and "Det. Lisa Paskewitz" were recently served with the summons and complaint. Without appearing on their behalf or making any representations with respect to service I also respectfully request that the additional defendants' time to answer or otherwise respond to the complaint also be extended until May 19, 2008.

Before this office can adequately respond to the complaint, we will need to conduct an investigation into the facts of the case. To this end, the City will need to obtain releases from plaintiff to access the underlying arrest and criminal court records regarding this action. The enlargement of time will therefore afford us the opportunity to investigate the matter.

No previous request for an enlargement of time has been made. Accordingly, it is respectfully requested that the City's time to respond to the complaint be extended to May 19, 2008. Additionally, if the Court is so inclined to grant this request, it is further respectfully requested that the initial conference scheduled for March 18, 2008 at 4:30 PM be adjourned to a later date and time convenient to the Court after issue has been joined.

Thank you for your consideration in this regard.

Respectfully submitted,



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